

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
W/S Crestwick Road, 270 ft. +/-
W of c/l Breezewick Rd.
906 Crestwick Road
9th Election District
4th Councilmanic District
Joseph J. Gregory, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-17-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Joseph J. and Josephine P. Gregory for that property known as 906 Crestwick Road in the Cromwell Valley subdivision of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (shed) to be located in the side yard in lieu of the required rear yard, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of August, 1993 that the Petition for a Zoning Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (shed) to be located in the side yard, in lieu of the required rear yard, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LES:mmn

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 17, 1993

Mr. and Mrs. Joseph J. Gregory
906 Crestwick Road
Towson, Maryland 21286

RE: Petition for Administrative Variance
Case No. 94-17-A
Property: 906 Crestwick Road

Dear Mr. and Mrs. Gregory:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
encl.

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 906 Crestwick Rd
which is presently zoned DR-3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) Sec. 400.1 To allow an accessory structure to be located in the side yard in lieu of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

See Exhibit

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

With this petition, the petitioner(s) shall submit the following information:

Legal Owner(s)
(Type or Print Name)
Joseph J. Gregory
Signature
[Signature]
Address
906 Crestwick Rd
City
Towson State
MD Zip
21206
Phone No.
(410) 887-4386

Attorney for Petitioner
(Type or Print Name)
Mue C. Schneider, Jr.
Address
906 Crestwick Rd
City
Towson State
MD Zip
21206
Phone No.
(410) 887-4386

A Public Hearing having been received and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 18th day of August, 1993, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation, previous to Baltimore County, and that the property be reported.

Reviewed by R.T. DATE 7-13-93
ESTIMATED POSTAGE DATE 8-01-93

ITEM # 21

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 906 Crestwick Rd.
Towson, MD 21286

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate variance or practical difficulty)

See Exhibit

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

[Signature]
Type or Print Name
Josephine P. Gregory

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:
I HEREBY CERTIFY, this 25 day of June, 1993, before me, a Notary Public of the State of Maryland, and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal:

6-25-93

My Commission Expires: 6-20-94



ITEM #21
94-17-A

EXHIBIT

BASED ON THE FOLLOWING FACTS, I FEEL THAT THE PROPOSED SHED LOCATION WAS ESTABLISHED BECAUSE OF PRACTICAL DIFFICULTY.

NORTH PROPERTY LINE
(1) CANNOT BE USED DUE TO THE LOCATION OF TREES AND A STEEP DRAINAGE SLOPE. SEE PHOTO 1, 1A AND PLAT.

(2) REAR YARD HAS A 10 FOOT DRAINAGE AND UTILITY EASEMENT (SEE PLAT), AND A STEEP SLOPE WHICH TAKES UP AN ADDITIONAL 10 FEET.

(3) TWO YOUNG CHILDREN RESIDE AT THIS ADDRESS AGED 3 YEARS AND 9 MONTHS. A CLEAR FIELD OF VIEW IS NEEDED FOR ANY AGE CHILD TO ENSURE THEIR SAFETY. IF THE SHED IS PLACED IN THIS AREA, IT WOULD NOT PROVIDE THIS ESSENTIAL CLEAR FIELD OF VIEW.

WEST PROPERTY LINE
(1) A SAND BOX TAKES UP 289 SQ FT (17'X17') OF THE WEST PROPERTY LINE. SEE PHOTO 2 AND PLAT.

(2) THE SHED COULD NOT BE BUILT BETWEEN THE SAND BOX AND THE NORTH PROPERTY LINE AREA BECAUSE OF LIMITED MANEUVERING SPACE AND SLOPE IN REAR YARD.

(3) THE SHED COULD NOT BE BUILT IMMEDIATELY SOUTH OF THE SAND BOX BECAUSE IT WOULD SEVERELY IMPEDE USE OF THE SIDE YARD. SEE PHOTOS 4, 5 AND PLAT.

(4) SAME AS NORTH PROPERTY LINE #3.

CENTER YARD
(1) SHED CANNOT BE BUILT IN THE CENTER YARD DUE TO A STEEP SLOPE (SEE PHOTO #6 AND PLAT) ONLY 8 FT OF STEEP SLOPE IS SHOWN ON THE PLAT. IT IS ACTUALLY 16 FEET WHICH TAKES UP 736 SQ FT (46'X16').

(2) SAME AS NORTH PROPERTY LINE #3.

EAST PROPERTY LINE
(1) IF A 12'X16' SHED WAS PLACED IN THE SAME AREA AS THE REMOVED 9'X9' SHED, IT WOULD IMPEDE INGRESS AND EGRESS TRAFFIC INTO THE REAR YARD. SINCE THE YARD IS FENCED IN, AND THERE IS NO GATE ON THE WEST SIDE YARD, PLACEMENT OF THE NEW SHED IN THE FORMER LOCATION WOULD DEFINATELY IMPEDE ENTRANCE. SEE PHOTO #7. THE 9'X9' SHED WAS REMOVED DUE TO DISREPAIR. THE 12'X16' SHED WAS SELECTED BECAUSE THE HOUSE HAS NO BASEMENT OR ATTIC FOR STORAGE SPACE.

(2) THE LOCATION OF THREE TREES (SEE PLAT AND PHOTOS 8 AND 8A) WOULD NOT ALLOW A SHED TO BE LOCATED IN THIS AREA.

- (3) SEE NORTH PROPERTY LINE #3.
- EAST SIDE YARD
(1) WHERE THE EXISTING DRIVEWAY IS LOCATED.

- (2) SEE PHOTOS 12 AND 13.

WEST SIDE YARD
(1) IT IS AN UNUSED AREA, WHICH IS ALSO AN AREA THAT IS UNSEEN FROM MOST OF THE PROPERTY (SAFETY ISSUE WITH CHILDREN).

(2) A SPACE THAT IS PERFECT FOR THE PROPOSED SHED, AND NO ENVIRONMENTAL FEATURES, SLOPES OR TREES, FOR PERMANENT STRUCTURES TO BUILD AROUND.

- (3) SEE PHOTOS 5, 9, 10, 11.

ITEM #21
94-17-A

EXAMPLE 3 - Zoning Description

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 906 CRESTWICK ROAD
(address)
Election District 9 Councilmanic District 10

Beginning at a point on the NORTH side of CRESTWICK ROAD (north, south, east or west) which is 70' (number of feet of right-of-way width) (street on which property fronts) of the 270' +/- WEST (number of feet) (north, south, east or west) wide at a distance of 270' +/- WEST (number of feet) (north, south, east or west) centerline of the nearest improved intersecting street CRESTWICK ROAD (name of street) which is 30' wide. "Being Lot # 12" (number of feet of right-of-way width)

Block 6, Section # 3-B in the subdivision of CROMWELL VALLEY (name of subdivision) as recorded in Baltimore County Plat Book # 31, Folio # 74, containing 11320.59 SF. or 0.26 Ac. (square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber 31, Folio 74" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 94-17-A Date of Posting: 7/28/93

Posted for: Pat Keller, Deputy Director

Petitioner: Pat Keller, Deputy Director

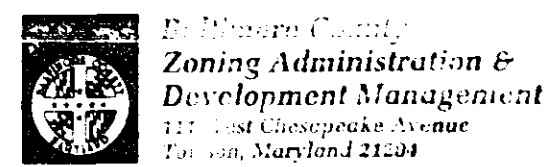
Location of property: Pat Keller, Deputy Director

Location of Signs: Pat Keller, Deputy Director

Remarks: Pat Keller, Deputy Director

Posted by: Pat Keller, Deputy Director Date of return: 7/28/93

Number of Signs: Pat Keller, Deputy Director



Account: R 001-6150

Number #21

RIT

Date 7-13-93

GREGORY
 906 CREWICK RD
 TOWSON, MD 21286

CO - VARIANCE - \$ 50.00
 CO - SIGNS - \$ 35.00
 TOTAL - \$ 85.00

03A03W0397W1CHRC
 BA 0010123AH07-13-93

\$85.00

Cashier Validation

Baltimore County Government
 Office of Zoning Administration
 and Development Management

111 West Chesapeake Avenue
 Towson, MD 21204

(410) 887-3353

August 6, 1993

Mr. and Mrs. Joseph J. Gregory
 906 Crewick Road
 Towson, Maryland 21286

RE: Case No. 94-17-A, Item No. 21
 Petitioner: Joseph J. Gregory, et ux
 Petition for Administrative Variance

Dear Mr. and Mrs. Gregory:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on July 13, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.



Maryland Department of Transportation
 State Highway Administration

O. James Lighthizer
 Secretary
 Hal Kassoff
 Administrator

Ms. Helene Kehring
 Zoning Administration and
 Development Management
 County Office Building
 Room 109
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Re: Baltimore County
 Item No.: 94-17-A

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

John Contestabile, Chief
 Engineering Access Permits
 Division

My telephone number is

Teletypewriter for Impaired Hearing or Speech
 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5052 Statewide Toll Free
 707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Zoning Administration and
 Development Management

DATE: July 29, 1993

FROM: Pat Keller, Deputy Director
 Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
 Item Nos. 9, 11, 12, 18, 21, 24, 25, 26, 29, 32, 33, 34, 37 and 39.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: Gary L. Kerns

PK/JL:lw

ZAC-9/ZAC1

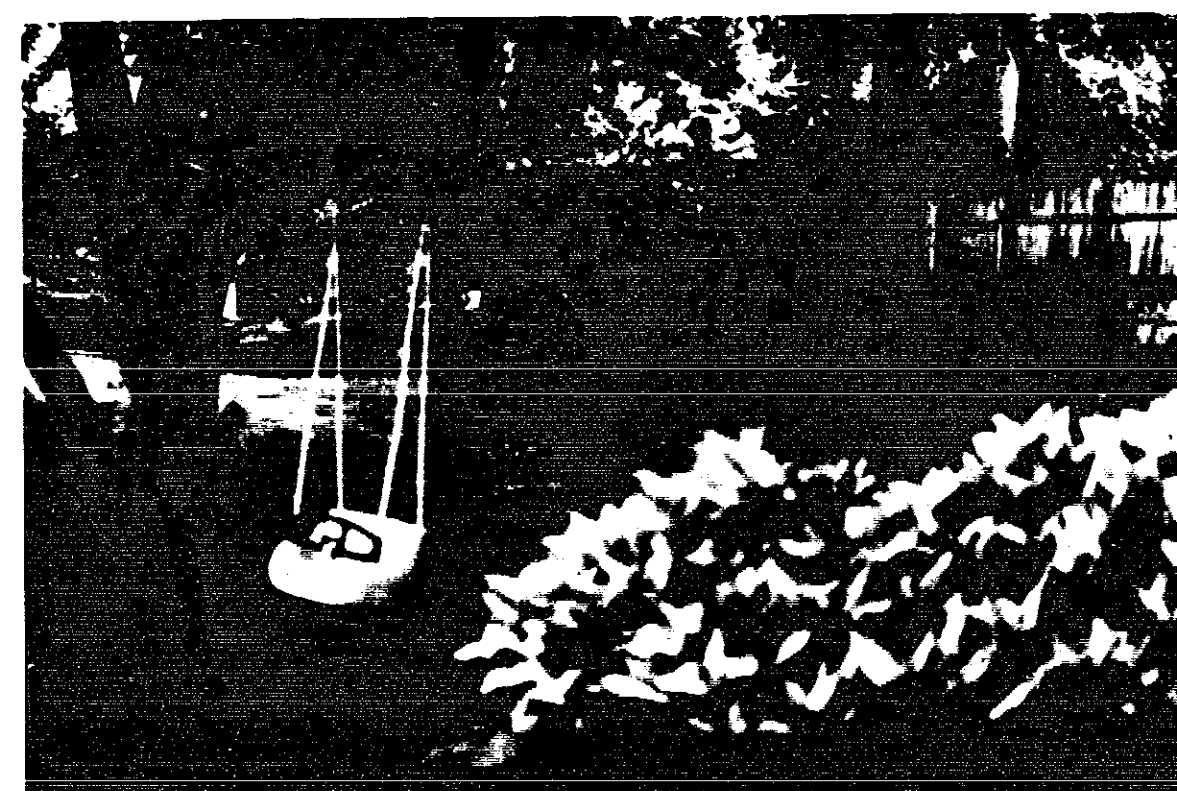


Photo 1



Photo 2



Photo 1A



Photo 3



Photo 4



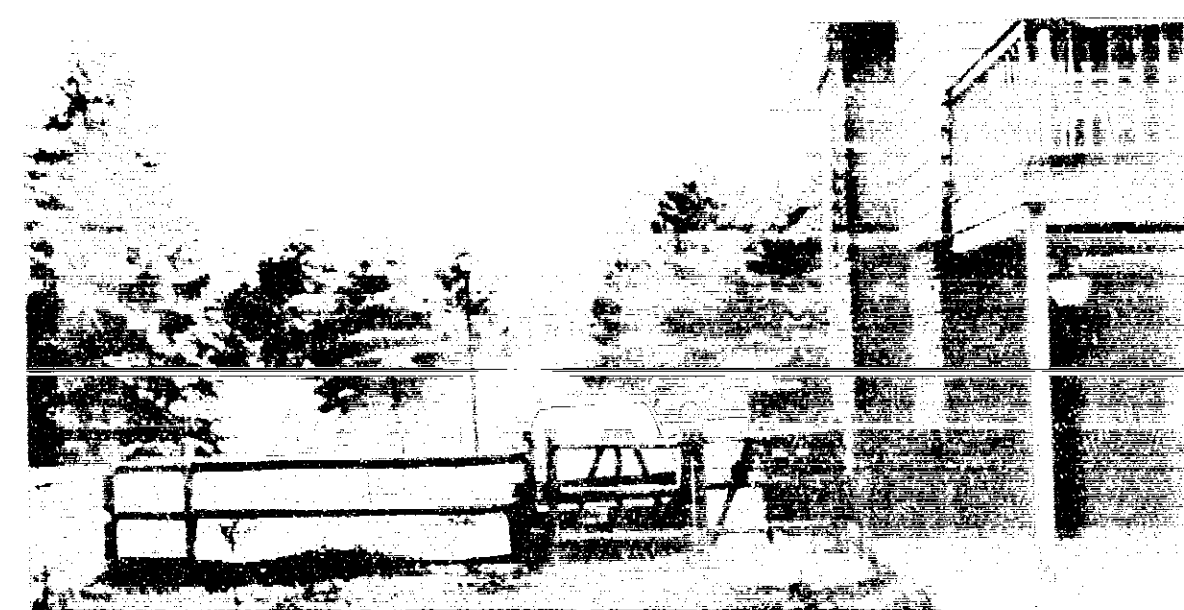
Photo 7



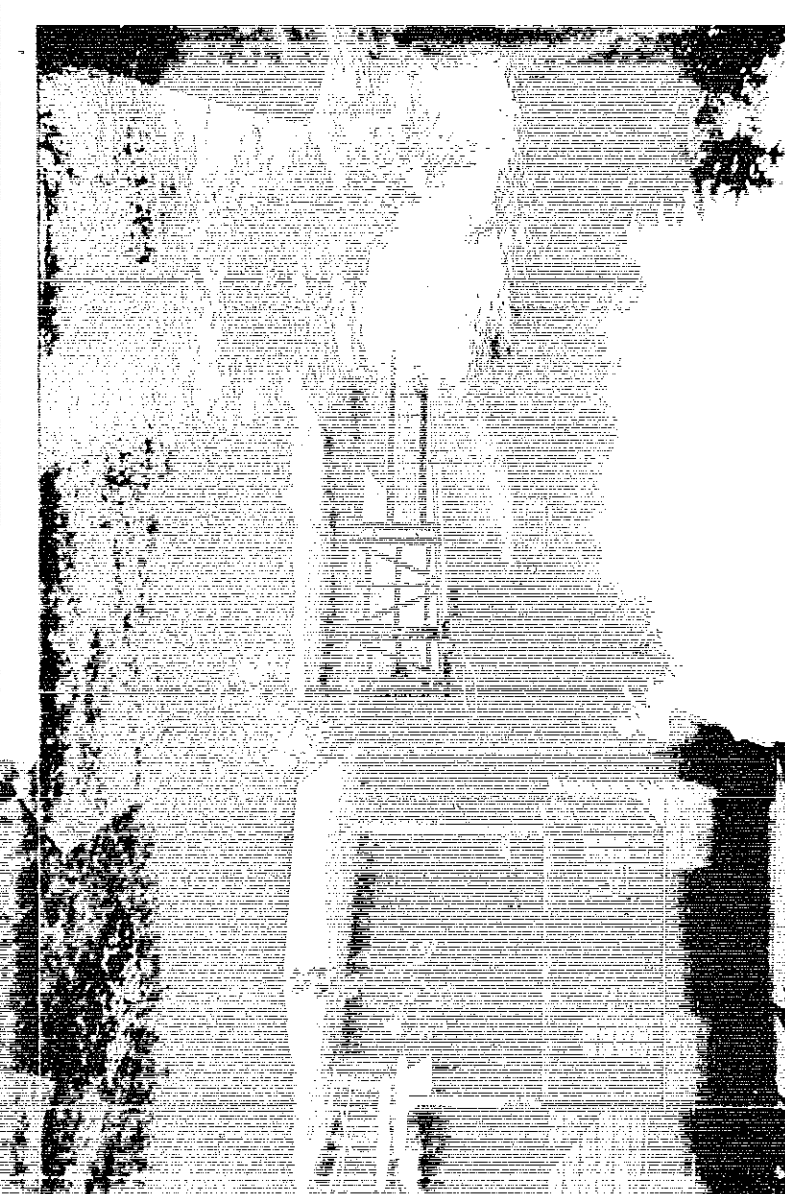
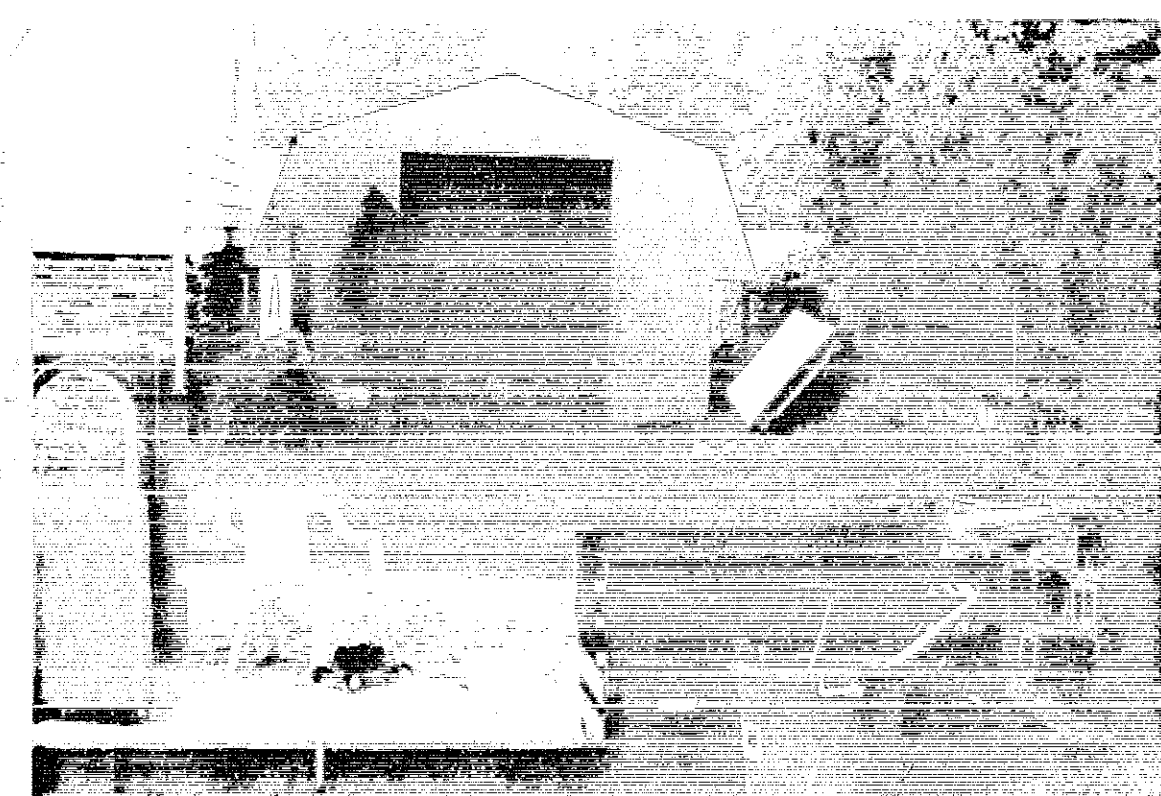
Photo 3A



Photo 10



Plot 13



SIDE ELEV

ITEM # 21

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

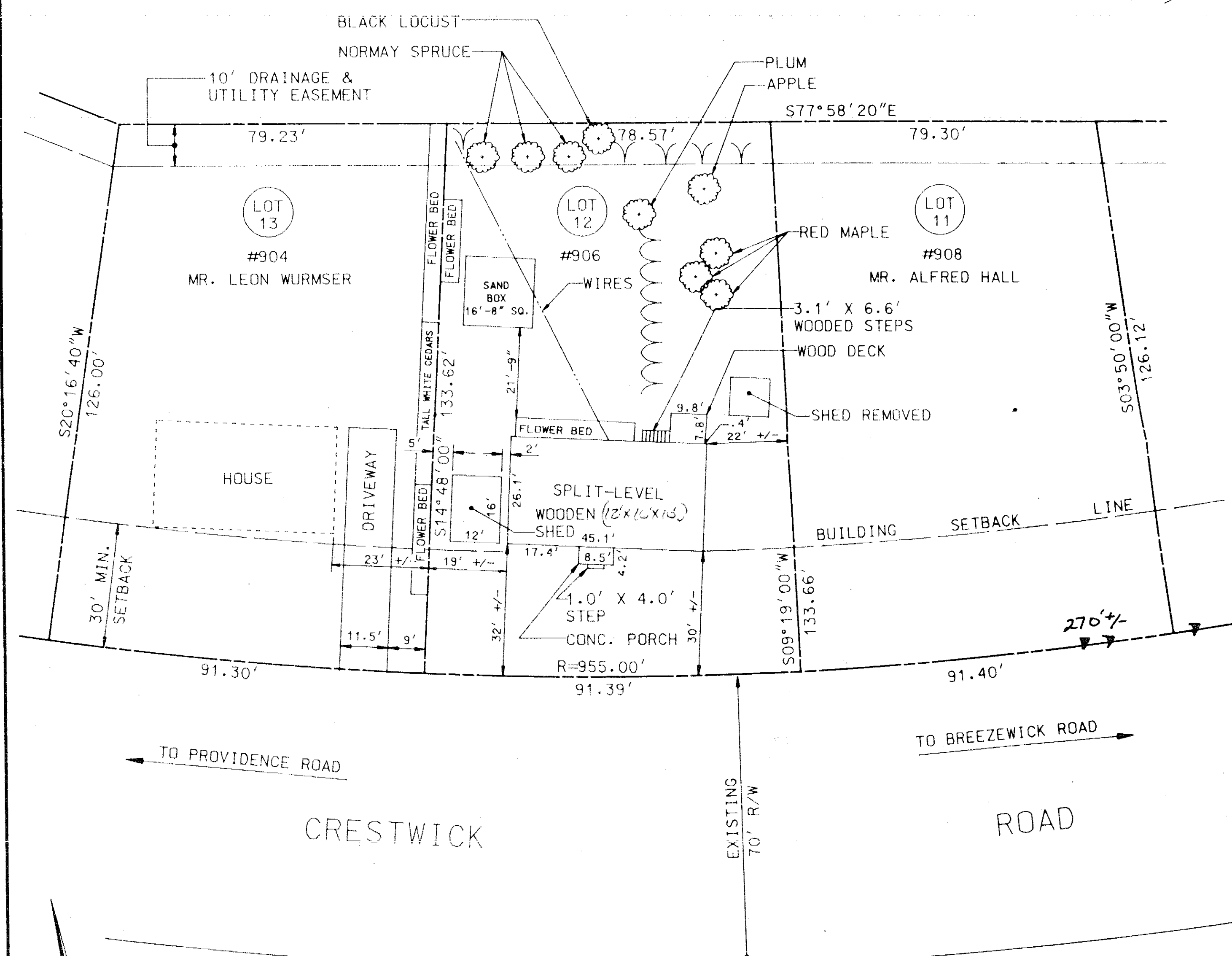
PROPERTY ADDRESS: 906 CRESTWICK ROAD

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: CROMWELL VALLEY

plat book # 31, folio # 74, lot # 12, section # 3-B

OWNER: JOSEPH J. GREGORY



North

Date: 6/1993

Prepared by: ACS

Scale of Drawing: 1" = 20'



VICINITY MAP

SCALE: 1" = 2000'

LOCATION INFORMATION

Election District: 9

Councilmanic District: 10

1" = 200' scale map

Zoning: DR 3.5

Lot size: .26 acreage 11,390.59 square feet

NE 10-B

94-17-A

SEWER: ☒ public ☐ private
WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE #:

R.T.

21



ALTIMORE COUNTY OF PLANNING AND ZONING PHOTOGRAPHIC MAP

SCALE
1" = 200'

LOCATION
EUDOWOOD
TOWSON ESTATES
TOWSON HEIGHTS

SHEET

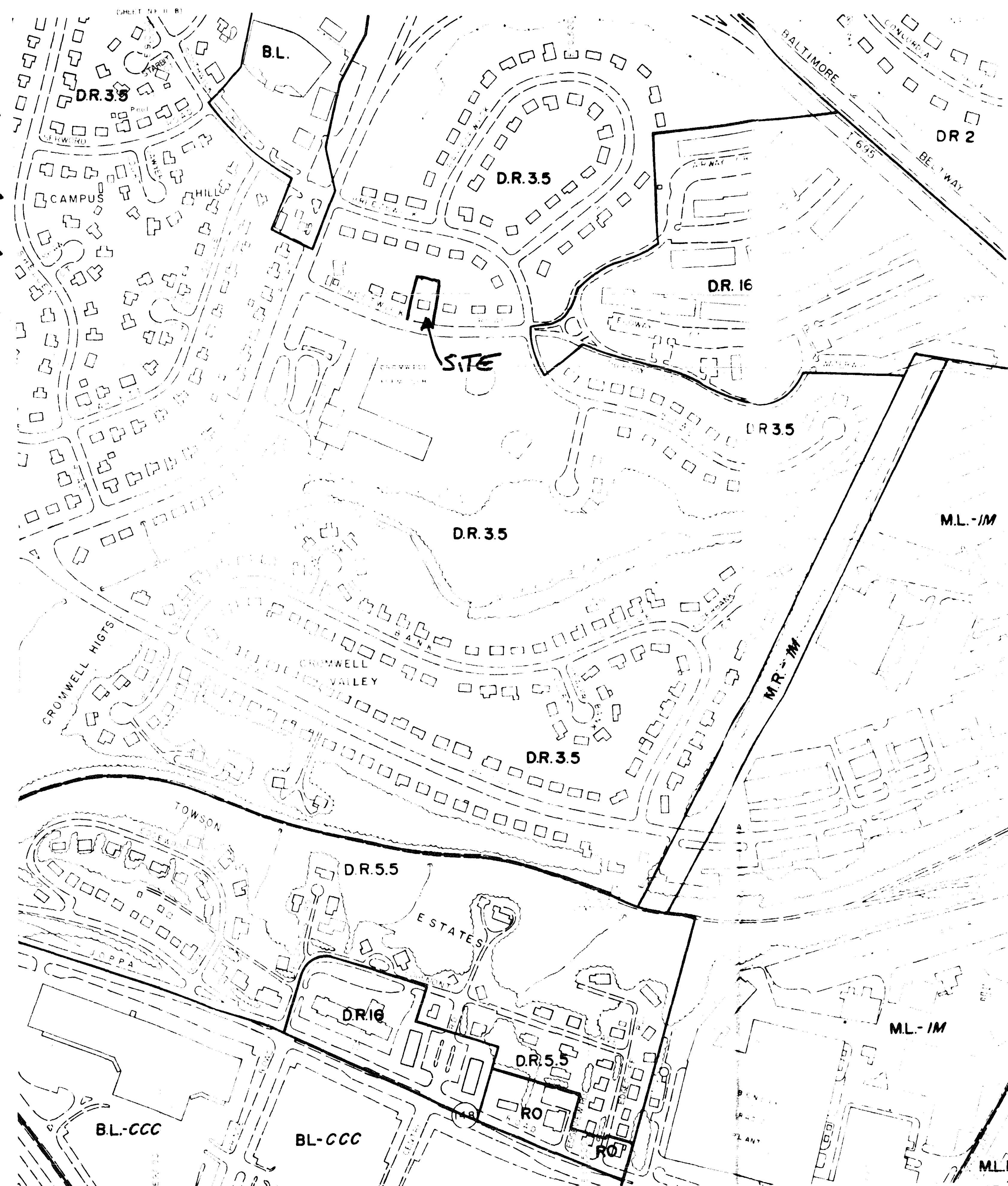
NE
10-B

ITEM #21

DATE
OF
PHOTOGRAPHY
JANUARY
1986

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY HUGHART-HORN, INC. BALTIMORE, MD. 21210

94-17-A



ALTIMORE COUNTY OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

SCALE
1" = 200'

LOCATION
EUDOWOOD
TOWSON ESTATES
TOWSON HEIGHTS

SHEET

NE
10-B

ITEM #21

DATE
OF
PHOTOGRAPHY
JANUARY
1986

William A. Howard II
Chairman, County Council